

1
2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE DISTRICT OF MARYLAND

4 UNITED STATES OF AMERICA,)
5 950 Pennsylvania Avenue, N.W.)
6 Washington, DC 20530,)

7 Plaintiff,)

8 v.)

C.A. No.

9 PRINCE GEORGE'S COUNTY,)
10 MARYLAND, 14741 Governor Oden)
11 Bowie Drive, Suite 5121,)
12 Upper Marlboro, MD 20772,)
and the PRINCE GEORGE'S)
COUNTY POLICE DEPARTMENT,)
7600 Barlowe Road,)
Palmer Park, MD 20785)
Defendants.)

COMPLAINT

13 //

14
15 INTRODUCTION

16 1. The United States brings this action under 42 U.S.C.
17 § 14141 to remedy a pattern or practice of conduct by law enforcement
18 officers of the Canine Section of the Prince George's County Police
19 Department (PGPD Canine Section) that deprives persons of rights,
20 privileges, and immunities secured or protected by the Constitution or
21 laws of the United States. The Defendants, through their acts and
22 omissions, are engaging in a pattern or practice of conduct by PGPD
23 Canine Section officers of subjecting individuals to uses of excessive
24 force. The Defendants have failed to adequately train, supervise, and
25 monitor officers; to investigate, review and evaluate use of force
26 incidents; to investigate alleged misconduct, and discipline officers
27 who are guilty of misconduct; and to implement effective systems to
28 ensure that management controls adopted by the Prince George's County

1 Police Department are properly carried out. Accordingly, the United
2 States seeks a judgment granting injunctive and declaratory relief for
3 the Defendants' violations of law.

4 The United States of America alleges:

5 DEFENDANTS

6 2. The Defendant Prince George's County ("County") is a
7 chartered governmental corporation in the State of Maryland.

8 3. The Defendant Prince George's County Police Department
9 ("PGPD") is a law enforcement agency operated by the County.

10 JURISDICTION AND VENUE

11 4. This Court has jurisdiction of this action under 28 U.S.C.
12 §§ 1331 and 1345.

13 5. The United States is authorized to initiate this action
14 pursuant to 42 U.S.C. § 14141.

15 6. Venue is proper in the District of Maryland pursuant to
16 28 U.S.C. § 1391, as the Defendants reside in and the claims arose in
17 the District of Maryland.

18 FACTUAL ALLEGATIONS

19 7. The Defendants, through their acts or omissions, have
20 engaged in and continue to engage in a pattern or practice of conduct
21 by PGPD Canine Section officers of using excessive force against
22 persons in Prince George's County.

23 8. The Defendants are, through their acts or omissions,
24 engaging in a pattern or practice of systemic deficiencies that has
25 resulted in a pattern or practice of conduct by PGPD Canine Section
26 officers that deprives persons of rights, privileges, and immunities
27

1 secured or protected by the U.S. Constitution or the laws of the
2 United States as described in paragraph 7 above. These systemic
3 deficiencies include, but are not limited to:

- 4 a. failing to implement policies, procedures, and
5 practices regarding use of force that appropriately
6 guide and monitor the actions of individual PGPD Canine
7 Section officers;
- 8 b. failing to train PGPD Canine Section officers
9 adequately to prevent the occurrence of misconduct;
- 10 c. failing to supervise PGPD Canine Section officers
11 adequately to prevent the occurrence of misconduct;
- 12 d. failing to monitor adequately PGPD Canine Section
13 officers who engage in or may be likely to engage in
14 misconduct;
- 15 e. failing to implement policies and procedures whereby
16 complaints and other allegations of PGPD Canine Section
17 officer misconduct are adequately received and
18 investigated;
- 19 f. failing to investigate adequately incidents in which a
20 PGPD Canine Section officer uses force;
- 21 g. failing to adjudicate or review citizen complaints, and
22 incidents in which a PGPD Canine Section officer uses
23 force, fairly and adequately; and
- 24 h. failing to discipline adequately PGPD Canine Section
25 officers who engage in misconduct.

1 CAUSE OF ACTION

2 9. Through the actions described in paragraphs 7-8 above, the
3 Defendants have engaged in and continue to engage in a pattern or
4 practice of conduct by PGPD Canine Section officers that deprives
5 persons of rights, privileges, or immunities secured or protected by
6 the Constitution (including the Fourth and Fourteenth Amendments) or
7 the laws of the United States, in violation of 42 U.S.C. § 14141.

8 PRAYER FOR RELIEF

9 10. The Attorney General is authorized under 42 U.S.C. § 14141
10 to seek declaratory and equitable relief to eliminate a pattern or
11 practice of law enforcement officer conduct that deprives persons of
12 rights, privileges, or immunities secured or protected by the
13 Constitution or laws of the United States.

14 WHEREFORE, the United States prays that the Court:

15 a. declare that Defendants have engaged in a pattern or practice
16 of conduct by PGPD Canine Section officers that deprives persons of
17 rights, privileges, or immunities secured or protected by the
18 Constitution or laws of the United States, as described in paragraphs
19 7-8 above;

20 b. order the Defendants, their officers, agents, and employees
21 to refrain from engaging in any of the predicate acts forming the
22 basis of the pattern or practice of conduct as described in paragraphs
23 7-8 above;

24 c. order the Defendants, their officers, agents, and employees
25 to adopt and implement policies and procedures to remedy the pattern
26 or practice of conduct described in paragraphs 7-8 above, and to
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prevent PGPD Canine Section officers from depriving persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States; and

d. order such other appropriate relief as the interests of justice may require.

1 Respectfully submitted,

2 JOHN ASHCROFT
3 Attorney General

4
5 THOMAS M. DIBIAGIO
6 United States Attorney
7 604 U.S. Courthouse
8 101 W. Lombard Street
9 Baltimore, Md. 21201
(410) 209-4800 (telephone)
(410) 962-2310 (facsimile)
Bar Number:

R. ALEXANDER ACOSTA
Assistant Attorney General
Civil Rights Division

10
11 BRADLEY J. SCHLOZMAN
12 Deputy Assistant
13 Attorney General
14 Civil Rights Division

15 SHANETTA Y. CUTLAR
16 Chief
17 Special Litigation Section
18 Civil Rights Division

19 SANDHYA L. SUBRAMANIAN
20 Special Counsel
21 Special Litigation Section
22 Civil Rights Division

23 GREGORY GONZALEZ
24 Trial Attorney
25 Special Litigation Section
26 Civil Rights Division
27 U.S. Department of Justice
28 950 Pennsylvania Avenue, N.W.
Washington, DC 20530
(202) 305-2941 (telephone)
(202) 514-0212 (facsimile)

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